

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S. – Sri P.Madhusudhan Rao, Sr. Lecturer (Retd.) DIET., Mynampadu, Prakasam District – Punishment of stoppage of two annual grade increments without cumulative effect imposed – Appeal preferred – Re-considered the Appeal – Punishment orders set-aside – Orders - Issued.

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EDUCATION [SE-Vig.I(2)] DEPARTMENT

G.O.Rt.No. 439

Dated: 10.4.2013

Read the following:-

- 1) From the C&DSE., Hyd., Lr. Rc.No.225/C1-2/2009, dated 17.8.2011.
- 2) Representation from Sri P.Madhusudhana Rao, Sr. Lecturer, DIET., Mynampadu, Prakasam Dist., dt.18.8.2011.
- 3) Govt. Memo.No.19245/SE-Vig.I(2)/2011-1, dated 06.9.2011.
- 4) From the C&DSE., Hyd., Lr. Rc.No.225/C1-2/2009, dated 03.12.2011.
- 5) Govt. Memo.No.19245/SE-Vig.I(2)/2011-2, dated 21.6.2012.
- 6) Appeal of Sri P.Madhusudhana Rao, Sr. Lecturer (Retd.), DIET., Mynampadu, Prakasam Dist., dated 07.6.2012.

ORDER:

Whereas, the Commissioner & Director of School Education, Hyderabad in his letter 1st read above has stated that Sri D.Rami Reddy and Sri V.Balasubramanyam, MLCs, in their representation, dated 20.8.2009, have made allegations against Sri P.Madhusudhan Rao, Sr. Lecturer, DIET., Mynampadu, Prakasam District and the then D.E.O. (FAC), Prakasam District on certain irregularities occurred in Promotions and transfer counseling of teachers. The Regional Joint Director of School Education, Guntur has conducted enquiry on the allegations leveled against him and submitted report, dated 16.02.2010, that Sri P.Madhusudhan Rao, Sr. Lecturer, DIET., Mynampadu, Prakasam District, while functioning as Full Additional Charge of the post of District Educational Officer, Prakasam District during the period from 31.10.2008 to 26.9.2009 had committed irregularities with regard to Promotions and Transfers counseling held during 2009 in the District and given irregular promotions to certain SGTs as School Assistants. Further he has given promotions to School Assistants to the eligible subjects as per their options and subsequently changed their subject and issued modified orders to the schools as per their choice by changing their subject opted in promotion counseling;

2. And whereas, based on the enquiry report, the Commissioner & Director of School Education, A.P., Hyderabad in her Proceedings Rc.No.225/C1-2/2009, dated 30.3.2010 has framed the following Article of charges against Sri P.Madhusudhan Rao, Sr. Lecturer, DIET., Mynampadu, Prakasam District:-

Article-1 : That Sri P.Madhusudhan Rao has functioned as DEO (FAC) Prakasam from 31.10.2008 to 26.9.2009. During the period as DEO (FAC) he has given irregular promotion to certain SGTs as School Assts.

Article-2: He has given promotions to some teachers as School Assistants to the eligible subject as per their option and subsequently changed their subject and issued posting orders to the schools as per their choice by changing their subject opted in promotion counseling.

Article-3: He has modified the transfer orders of Teachers after completion of Teacher Counseling 2009.

3. And whereas, after considering the charges framed and the explanation submitted by the charged officer, the Commissioner & Director of School Education, A.P., Hyderabad has concluded the disciplinary proceedings, by awarding minor penalty of stoppage of two increments without cumulative effect Sri P.Madhusudhan Rao, Senior Lecturer, DIET., Mynapadu, Prakasam District. Further, the Commissioner & Director of School Education, A.P., Hyderabad in their O/o. Proc. Rc.No.225/C1-2/2009, dated 04.8.2011 has

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been ordered that the amount equal to the benefits that accrued on account of the last two increments prior to his retirement shall be recovered from amounts due to Sri P.Madhusudhan Rao, Senior Lecturer, DIET., Mynapadu, Prakasam District;

4. And whereas Sri P.Madhusudhana Rao, Senior Lecturer, DIET., Mynampadu, Prakasam District has made an appeal to Government in his representation 2nd read above to set aside the punishment of 'stoppage of two increments without cumulative effect' imposed by the Commissioner & Director of School Education, in the Procds. Rc.No.225/C1-2/2009, dated 04.8.2011 and to drop further action in the matter.

5. Government have examined the matter and rejected appeal petition of Sri P.Madhusudhana Rao, Senior Lecturer (now retired from Govt. service) DIET., Mynampadu, Prakasam District, in the reference 5th read above, as the incumbent has not put forth any new grounds in the matter.

6. Sri P.Madhusudhana Rao, Senior Lecturer (Retd.), DIET., Mynampadu, Prakasam District has filed another petition to the Government in the reference 6th read above, wherein he has stated that he was kept in full additional charge of the post of D.E.O., Prakasam District during the period from 30.10.2008 to 26.9.2009 and there was no regular Assistant Director (Admn.) in the office and he has no supporting any gazzetted officer from DIET as number of posts in DIET Institution were also vacant. Due to lot of pressure from Teachers union he had completed the counseling work without any mistake, simultaneously conducted SSC examinations, spot valuation and DSC examinations. He has further stated that he has already retired from service on 31.8.2011 on attaining the age of superannuation and his terminal benefits have not been released and therefore requested to drop further action on him and to release the pending terminal benefits.

7. Government have examined the matter and re-considered the appeal of the incumbent and taken a lenient view that Sri P.Madhusudhana Rao, Senior Lecturer (Retd.), DIET., Prakasam District has already been undergone a lot of stress for not receiving the pensionary benefits for one year, and therefore decided to drop the charges framed against him in the matter, and to set aside the punishment orders of "recovery of the amount equal to the benefits that accrued on account of last two increments from the appellant" imposed by the Commissioner & Director of School Education, A.P., Hyderabad in the Procds. Rc.No. Rc.No.225/C1-2/2009, dated 04.8.2011.

8. Therefore in exercise of powers conferred by Rule 40 of A.P.C.S. (CC&A) Rules, 1991, Government hereby set aside the punishment orders in Proceedings Rc. No.Rc.No.225/C1-2/2009, of the Commissioner & Director of School Education, A.P., Hyderabad, dated 04.8.2011, and charges framed against Sri P.Madhusudhana Rao, the then District Educational Officer (FAC), Prakasam District and Senior Lecturer (now Retd.), DIET., Prakasam District, in the matter, are hereby dropped.

9. The Commissioner & Director of School Education, A.P., Hyderabad shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI
PRL. SECRETARY TO GOVERNMENT (SE)

To
Sri P.Madhusudhana Rao, the then District Educational Officer (FAC), Prakasam
District and Senior Lecturer (now Retd.), DIET., Prakasam District through the C&DSE.,
A.P., Hyderabad.
The Commissioner & Director of School Education, A.P., Hyderabad.
Copy to SF/SCs.

//forwarded by order//

SECTION OFFICER